

TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK

MAY 12, 2009
7:30 PM

SUPERVISOR
Catherine Borgia
COUNCILMEMBERS

Geoffrey Harter Michael L. Tawil
David Krieger Northern Wilcher

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on May 12, 2009 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:35 p.m. by Supervisor Catherine Borgia. Members of the Board present were: David Krieger, Northern Wilcher and Michael Tawil. Councilmember Geoffrey Harter was absent. Also present were: Wayne Spector, Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. PRESENTATION – Stormwater Annual Report – Year 6

Jim Vanoli, Town Engineer, stated that the Stormwater Annual Report runs from March 10, 2008 thru March 9, 2009. It is quantitative results involving the following items: Roads swept; catch basins cleaned; and outfall location map. This Town Board Meeting is part of the requirements for this report. Any public comments from this evenings meeting will be included in the Annual Report. Bobby Williams, Spring Street, questioned how often the Management Report is done? Also questioned was the marking of each drain. Mr. Vanoli responded that the State required outfalls and that the stenciling has been done on a minimum of 512 catch basins. The GPS location is not required at this time. The GPS will have to be done within the next five years. Mr. Vanoli also responded that the report is done annually beginning on March 10th and ending on March 9th

III. ANNOUNCEMENTS

Councilman David Krieger announced that the United States Government Census for 2010 is now underway. Individuals will be going around with handheld units or lap top to verify addresses. A questionnaire will be sent via the mail and all answers to this questionnaire are confidential. All employees of the Census group have taken an Oath of Office relative to the confidentiality of all information received. On June 7th we will be celebrating New York's 400th Anniversary on the waterfront. This is in celebration of the 400th Anniversary of DeChamplain, Henry Hudson and Robert Fulton. The Parade of Sails will begin at 9 a.m. with an escort to Croton Point Park; 10:30 – 11 a.m. is the Blessing of the Fleet and there will be Riverfront Festivities Music from 11 a.m. to 4 p.m. There will be Arts & Crafts, Specialty Vendors; Kids Games and Activities as well as food from various local restaurants available. It is a rain or shine event.

Councilman Northern Wilcher announced that IFCA is receiving a Westchester County Senior Program Stanley Shields Award at a breakfast in Rye on May 21, 2009 from 9 – 11 a.m.

Councilman Michael Tawil announced that a benefit concert will be held at the Ossining High School at 6.30 p.m. The admission is \$5.

Supervisor Catherine Borgia announced that the Westchester County Mobile Shredder will be in Ossining at the Joseph G. Caputo Community Center on Saturday, May 23, 2009 from 10 a.m. to 2 p.m. Up to four file boxes will be accepted from each individual. The Annual Memorial Day Parade will begin at 9 a.m. at the Roosevelt Square and ending at Nelson Park for the placing of the wreaths. The Memorial Day Parade in Briarcliff will begin at noon. There are several Volunteer Citizen Boards that are in need of members and they are as follows: Ethics Commission – 3 individuals with legal background; Finance Committee – 1 with business financial background; and Planning Board which is a 5-year term.

IV. PUBLIC COMMENT ON AGENDA ITEMS

There were no comments.

V. BOARD RESOLUTIONS

A. Approval of Minutes – April 28, 2009

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the April 28, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated May 12, 2009 in the amount of \$485,416.96.

Motion Carried: Unanimously

C. Agreement – Music Makers Unlimited

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to enter into an agreement with Music Makers Unlimited of Peekskill, New York for the Memorial Day Parade to be held on May 25, 2009 at a cost of \$750.00.

Motion Carried: Unanimously

D. Calling for a Public Hearing to Consider a Proposal to Amend the Town of Ossining Zoning Map

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, Dr. Yosef Haroush has submitted an application for a proposed Zoning Map amendment to change the zoning designation of the eastern half of the property at 513 North State Road from R-30 One-Family Residence District to GB General Business District, which property is designated on the Tax Assessment Map of the Town of Ossining as Section 90.19, Block 2, Lot 8; and

Whereas, Dr. Yosef Haroush proposes to construct a building and associated parking area, landscaping, etc. on the areas of the property to be rezoned General Business, and to relocate his Animal Health Center from 438 North State Road to 513 North State Road; and

Whereas, in accordance with Section 200-52, Zoning, of the Town of Ossining Code, the Town Board referred the proposed amendment of the Zoning Map to the Planning Board and Westchester County Planning Department for a report and recommendation; and

Whereas, the Planning Board issued a report dated March 25, 2009 indicating that the proposed rezoning would be reasonable and appropriate and that the Town Board should consider enacting said rezoning; and

Whereas, the Westchester County Planning Department indicated that the proposed action was a matter for local determination;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby calls for a public hearing on Tuesday, June 9, 2009 7:30p.m. at the Police/Court Facility, 86-88 Spring Street, Ossining, NY to consider a proposal to amend the Town of Ossining Zoning Map to change the zoning designation of the eastern half of the property at 513 North State Road from R-30 One-Family Residence District to GB General Business District, which property is designated on the Tax Assessment Map of the Town of Ossining as Section 90.19, Block 2, Lot 8, and to hear all persons interested in the subject thereof concerning the same; and be it further

Resolved, that the Town Clerk shall transmit to the Village of Briarcliff Manor Village Clerk the proposed zoning map amendment in accordance with Section 200-52, Zoning, of the Town Code.

Motion Carried: Unanimously

E. Order Calling a Public Hearing in the matter of the Petition for the Extension of the Valley View Sewer District – Jacqueline Bush

Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

Whereas, a written petition, dated June 17, 2008, in due form and containing the required signature, has been presented by Jacqueline Bush to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

“Beginning at a point on the Easterly side of Hawkes Avenue where the same is intersected by the division line between lands now or formerly of Picano and Lot 2, South 68° 44' 18" East along said division line, 244.23 feet to the division line between lots 2 and 1; thence the following 2 courses and distances along said division line: (1) South 21° 15' 40" West, a distance of 119.66 feet; and (2) North 67° 51' 20" West, a distance of 252.00 feet to the Easterly side of Hawkes Avenue; thence the following courses and distances along the Easterly side of Hawkes Avenue: (1) North 26 ° 32' 50" East, a distance of 16.19 feet; (2) North 26 ° 26' 40" East, a distance of 36.00 feet; (3) North 24 ° 25' 50" East, a distance of 33.01 feet; (4) North 25 ° 40' 30" East, a distance of 20.70 feet; and (5) North 18 ° 47' 20" East, a distance of 10.21 feet to lands now or formerly of Picano and the point or place of BEGINNING.”

Said premises known as 68 Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 40 on the Tax Map of the Town of Ossining,” and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk’s Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 26th day of May 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

F. Order Calling for a Public Hearing in the matter of the Petition for Extension of the Valley View Sewer District – Joanne Schneider

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, a written petition, dated June 17, 2008, in due form and containing the required signature, has been presented by Joanne Schneider to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

“Beginning at a point on the easterly side of Hawkes Avenue at the southwesterly corner of land conveyed to Gene R. Lamb and Carole J. Lamb, his wife, by deed dated August 7, 1959, recorded in the Westchester County Clerk’s Office, Division of Land Records, on August 12, 1959 in Liber 5937 of Conveyances, at page 192, said point of beginning being also distant 250.56 feet northerly as measured along the easterly sides of Hawkes Avenue from the northwesterly corner of land now or formerly of Jacob S. Pinckney; running thence from said point of beginning and along said land of Gene R. Lamb and Carole J. Lamb, his wife, the following courses and distances: South 69° 49’ 40” East 200.00 feet; and North 20° 10’ 20” East 35.00 feet to a point on the southerly line of land now or formerly of Winfield Lamb and Mabel Lamb, his wife, RUNNING thence along the southerly line of said last mentioned land

South 69° 49' 40" East 168.82 feet to a point on the westerly line of land now or formerly of Charles H. Krueger; RUNNING thence along the westerly line of said last mentioned land South 16° 14' 10 West 135.33 feet to a point on the northerly line of land now or formerly of Mary E. Sleator; RUNNING thence along the northerly line of said last mentioned land and along the northerly line of land now or formerly of Annie Olmstead North 69° 49' 40" West 371.63 feet to the easterly side of Hawkes Avenue; RUNNING thence along the easterly side of Hawkes Avenue North 16° 28' 20" East 100.22 feet to the point and place of BEGINNING.

Said premises known as 74 Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 45 on the Tax Map of the Town of Ossining," and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk's Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 26th day of May 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

G. Order Calling for a Public Hearing in the matter of the Petition the Extension of the Valley View Sewer District – James Picciano

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, a written petition, dated June 17, 2008, in due form and containing the required signature, has been presented by James Picciano to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

"Beginning at a point on the easterly side of Hawks Avenue, as presently laid out, at the place where the same is intersected by division line

between premises being described and lands now or formerly of Olmstead; running thence along said division line and continuing along the division line between premises being described and lands now or formerly of Krueger, the following courses and distances: South 69° 54' 00" east a distance of 103.32 feet; South 70° 04' 50" east, a distance of 69.21 feet; South 70° 19' 00" east, a distance of 96.84 feet; South 69° 24' 50" east, a distance of 55.43 feet; South 69° 47' 50" east, a distance of 30.14 feet; South 67° 03' 40" east, a distance of 17.32 feet; South 69° 28' 20" east, a distance of 131.22 feet to a point on the division line between Parcel I and Parcel II as shown on said map; running thence, along said division line on a course south 21 ° 15' 42" west a distance of 174.71 feet to a point on the division line between premises being described and lands now or formerly of Galiger; running thence along said division line on a course north 68 ° 44' 18" west, a distance of 510 feet to a point on the easterly side of Hawks Avenue; running thence along said easterly side of Hawks Avenue, the following courses and distances: North 6° 29' 30" east a distance of 8.31 feet; North 20° 31' 20" east a distance of 25.19 feet; North 24° 10' 50" east a distance of 36.23 feet; North 21° 18' 00" east a distance of 39.62 feet; North 27° 06' 50" east a distance of 31.73 feet; North 30° 07' 20" east a distance of 25.67 feet to the point or place of BEGINNING.

Said premises known as 70 Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 41 on the Tax Map of the Town of Ossining," and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk's Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 26th day of May 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

H. Order Calling for a Public Hearing in the matter of the Petition for the Extension of the Valley View Sewer District – Raymond Coletti

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, a written petition, dated June 24, 2008, in due form and containing the required signature, has been presented by Raymond Coletti to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

“Beginning at a point on the easterly side of Hawkes Avenue where the same is intersected by the northerly line of lands now or formerly of Noack and Lot 3 on Map No. 452; running thence along the same North 28° 54’ 50” East 35.47 feet; North 26° 32’ 50” East 31.01 feet; North 26° 26’ 40” East 36.00 feet; North 24° 25’ 50” East 33.01 feet; North 25° 40’ 30” East 20.70 feet’ North 18° 47’ 20” East 10.21 feet to Lot 5 on said map, and other lands of Noack; Running thence along the same South 68° 44’ 18” East 508.00 feet; Running thence South 21° 15’ 40” West 173.74 feet to said first mentioned land of Noack; Running thence along the same South 67° 51’ 20” East 528.87 feet to the point of BEGINNING.

Said premises known as 66 Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 39 on the Tax Map of the Town of Ossining,” and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk’s Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 26th day of May 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

- I. Order Calling for a Public Hearing in the Matter of the Petition for Extension of the Valley View Sewer District–Herbert E. Olmstead Sr.

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, a written petition, dated June 16, 2008, in due form and containing the required signature, has been presented by Herbert E. Olmstead, Sr. to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

“Beginning at a point on the easterly side of Hawkes Avenue adjoining lands now or formerly of Jacob S. Pinckney, said point being the southwesterly corner of the parcel herein described; running thence northerly along said easterly side of Hawkes Avenue, North 16 ° 28’ 20” East 150.34 feet to the northeasterly corner of the parcel herein described; thence South 69 ° 49’ 40” East 371.63 feet to lands now or formerly of Charles K. Krueger; thence along said lands of Charles H. Krueger, South 16 ° 14’ 10” West 150.38 feet to the aforementioned lands now or formerly of Jacob S. Pinckney; thence along said lands now or formerly of Pinckney; North 67 ° 03’ 40” West 17.32 feet, North 69 ° 47’ 50” West 30.14 feet, North 69 ° 24’ 50” West 55.43 feet, North 70 ° 19’ 00” West 96.84 feet, North 70 ° 04’ 50” West 69.21 feet, North 69 ° 54’ 00” West 103.32 feet to the aforementioned easterly side of Hawkes Avenue and the point or place of beginning.

Said premises known as 72A Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 42 on the Tax Map of the Town of Ossining,” and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk’s Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 26th day of May 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

J. Engel Park Planting & Overlook Phase III Project-Maintenance Bond

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

Whereas, Vernon Hills Contracting has completed the Planting & Overlook Phase III project at Engel Park; and

Whereas, in accordance with the bid specifications, upon completion of the contract and before final payment, the Contractor shall furnish a maintenance bond, which is a guarantee of all equipment, material and workmanship for a period of one (1) year; and

Whereas, Vernon Hills Contracting has furnished a maintenance bond in the amount of \$145,210.00, from Fidelity and Deposit Company of Maryland, a Maryland Corporation of Parsippany, New Jersey, Bond No. MNT8908660 and upon review by the Town Attorney, it was determined that the maintenance bond was acceptable, now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby accepts the maintenance bond from Vernon Hills Contracting, in the amount of \$145,210.00 for a period of one (1) year starting May 15, 2009.

Motion Carried: Unanimously

K. Agreement-MINI Cooper Vehicle Program

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into a one year lease agreement with Ray Catena MINI of Westchester, White Plains, NY 10607, in a form acceptable to the Town Attorney, for two (2) electric mini cooper vehicles including installation of supporting equipment at a mutually agreed upon location, at an annual cost of \$120 per vehicle.

Motion Carried: Unanimously

L. Agreement-Pitney Bowes

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an agreement with Pitney Bowes for a digital mailing system including equipment maintenance for a term of 48 months at a cost of \$59.00 per month for the Police Department.

Motion Carried: Unanimously

M. CERTIORARI SETTLEMENT

550 NORTH STATE ROAD LLC f/k/a CAMILLO SANOTMERO,III

vs.

TOWN OF OSSINING

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by 550 North State Road LLC, Camillo Santomero,III, against the Town of Ossining to review the tax assessments made on Petitioner's property located at 550 North State Road in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 90.15,Block 2, Lot 8, for assessment years 2005 through 2008, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 17305/05,18643/06,18881/07 and 22393/08; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

| Assessment Year | Original Assessment | Corrected Assessment | Reduction |
|-----------------|---------------------|----------------------|-----------|
| 2005 | 69,000 | 64,170 | 4,830 |
| 2006 | 69,000 | 55,200 | 13,800 |
| 2007 | 69,000 | 55,200 | 13,800 |
| 2008 | 69,000 | 55,200 | 13,800 |

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred in by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED that the Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$6069.18, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

N. Citizen Finance Advisory Committee

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, citizen advisory committees form an important governmental foundation in local governments, including the Town of Ossining, and

Whereas, the nation, State and Town are facing difficult and challenging economic times, and

Whereas, there are Town residents that have talent and professional expertise in the areas of business and finance and would like to assist the Town with financial policy recommendations and budgetary matters, now, therefore, be it

Resolved, that the Town Board of the Town of Ossining hereby establishes a Citizen Finance Advisory Committee comprised of up to five Town residents to meet monthly to assist the Town Board with financial policy recommendations and budgetary matters, and be it further

Resolved, that the members of the Citizen Finance Advisory Committee shall be appointed by and serve at the pleasure of the Town Board in an advisory capacity for a five year term, and that one member shall be designated by the Citizen Finance Advisory Committee as Chairman; and be it further

Resolved, the Town Comptroller shall act as an advisor and liaison to the Committee, and be it further

Resolved, the Citizen Finance Advisory Committee shall have the following duties: (The scope of these duties may be expanded at the discretion of the Town Board)

1. To advise the Town Board on appropriate revenue and expenditure policies and financial policies.
2. To review annual financial statements of the Town and report their findings to the Town Board.
3. Advise the Town Board during the budget process.
4. To undertake such other studies as shall be assigned to them or as they shall deem appropriate to assure that the financial condition and policies of the Town are sound and that the taxpayers are receiving appropriate value.

Motion Carried: Unanimously

O. Appointment-Citizen Finance Advisory Committee-William F. Jaenike

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby appoints William F. Jaenike, Morningside Court, Ossining, to the Citizen Finance Advisory Committee for a five year term expiring December 31, 2014.

Motion Carried: Unanimously

P. Appointment-Citizen Finance Advisory Committee-Jean Michael Diaz

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby appoints Jean Michael Diaz, Roosa Lane, Ossining, to the Citizen Finance Advisory Committee for a five year term expiring December 31, 2014.

Motion Carried: Unanimously

VI. MONTHLY REPORTS

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the reports for the month of April, 2009 from Town Clerk and Tax Receiver be received and filed.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

1. March 25, 2009 Planning Board Minutes.
2. April, 2009 Helicopter Schedule from G.E.

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Duval Cellai, Stormytown Road, questioned who would be using the Mini Coopers? Supervisor Borgia responded that they would be used by the Highway Department and the Assessor's Office.

Bobby Williams, Spring Street, discussed various issues such as the Journal News; GE dredging of the Hudson River as well as comments on The President's proposal regarding Credit Card Bill of Rights

IX. ADJOURNMENT

At 8:20 p.m., Councilmember Krieger moved and it was seconded by Councilmember Tawil that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk